



Meeting Minutes

HANFORD ADVISORY BOARD (HAB, Board)

Committee of the Whole (COTW)

November 15, 2022

Virtual Meeting via Microsoft Teams

Topics in this Meeting Summary

Opening.....	2
Tri-Party Agreement.....	2
Resource Conservation and Recovery Act	4
Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)	6
Elections for Chair and Vice Chair.....	8
Consensus and the HAB	11
Hanford Work in Fiscal Year 2025	13
Closing Comments.....	13
Public Comment	14
Meeting Recording	14
Attachments	14
Attendees	14

This is only a summary of issues and actions discussed at this meeting. It may not represent the fullness of represented ideas or opinions, and it should not be used as a substitute for actual public involvement or public comment on any particular topic unless specifically identified as such.

Opening

Ruth Nicholson, HAB Facilitator, welcomed meeting participants and notified participants that the meeting was being recorded.

Mike Berkenbile, US Department of Energy (DOE) and Deputy Designated Federal Officer, announced that this meeting was being held in accordance with the Federal Advisory Committee Act (FACA). He explained that the HAB's role was to provide policy-level advice and recommendations regarding DOE Environmental Management (DOE-EM) site-specific issues.

Jan Catrell, Washington League of Women Voters and Interim HAB Chair, reviewed the meeting ground rules and the agenda.

Referencing the leadership elections item, Miya Burke, Hanford Challenge, asked if elections would be held if the HAB membership packets had not been approved. Gary Younger, DOE, explained that, as of that moment, the membership packets had not been approved. However, it was his understanding that it was at the final step of the process, only awaiting a signature. He hoped that the notification of approval would arrive that day. He noted that, in the meantime, he expected that the meeting could move forward with the informational topics on the agenda.

Meeting Minute Adoption

The adoption of the June Board meeting minutes had been deferred at the October Board meeting. It was agreed that the adoption would be deferred again.

Tri-Party Agreement

John Price, Washington State Department of Ecology (Ecology), provided an overview of the Tri-Party Agreement (TPA). He introduced himself as the TPA section manager, leading TPA matters for Ecology.

John explained that the legal name for the TPA was the *Hanford Federal Facility Agreement and Consent Order*. There were separate agreements: Federal Facility Agreement was between DOE and the US Environmental Protection Agency (EPA), while the Consent Order was between DOE and Ecology. The TPA served as a means to integrate the two agreements and have them “get along.”

He explained the Federal Facility Agreement between DOE was necessary because of the division of authorities under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), also known as Superfund. Under CERCLA, DOE had authority and responsibility to request funding and do work and EPA has the authority to approve CERCLA sampling plans and cleanup decisions. Later, the Superfund Amendments and Reauthorization Act (SARA) Section 120(e) made CERCLA applicable to federal facilities, requiring that EPA develop such Federal Facility Agreements.

Similarly, the Consent Order between DOE and Ecology was a result of the 1992 Federal Facility Compliance Act, which required Resource Conservation and Recovery Act (RCRA) compliance for federal facilities.

The TPA served as a legal agreement that achieved compliance with both RCRA and CERCLA. The established responsibilities for reporting, change management and public involvement, provided a basis for budgeting, and, importantly, reserves rights for DOE to dispute decisions. The TPA must be interpreted principles of contract interpretation and cannot be interpreted in a way that is inconsistent with federal law. As John stated, it must be read very literally.

John provided examples of “TPA work” that was not listed in the TPA. Those might include specific orders, such as emergency work related to the PUREX tunnels, or settlements, such as the tank waste

Consent Decree. However, such work is typically managed and reported on in a consistent manner with TPA work.

He reviewed the overarching structure of the TPA. He noted that most of the Ecology staff did not use the *Legal Agreement* section often, as it mostly contained content around enforcement. *Attachment 2, Action Plan*, he stated, was where the action was. It contained report requirements, deadlines for review and responses, lists of locations to clean up, milestones, and the like.

John explained that having two regulatory agencies for a federal facility was unusual. Where work needed to be done at Hanford, typically, one regulatory agency would serve as the lead regulatory agency, reducing the complications around any individual item. There was a memorandum of understanding (MOU) that outlined the “rules of the road” for serving as the lead regulator. Ecology and EPA would keep one another informed regardless of which was serving as the lead.

John explained that there were three types of TPA milestones: major, interim, and target dates. Target dates, he clarified, were not really milestones. He stated that milestones could be thought of as a “large chunk of work,” with those chunks costing from about \$1 billion to \$50 billion. Those large chunks were broken up into interim milestones, usually set for every few years, ensuring that DOE remained on schedule for the larger milestones.

Milestones had the potential to be changed and was something that occurred often. It could be due to TPA agency actions, a result of funding shortfalls, or events beyond the TPA agencies’ control.

John invited questions from the Board.

Other TPA Agency Perspectives

Mike Berkenbile and Roberto Armijo, EPA, thanked John for the presentation and had nothing to add.

Board Questions

Rob Parmelee, Non-Union, Non-Management Employees, asked where the lead agency for particular projects were documented. John explained they were associated with the milestones and Operable Units (OU) in the appendices.

Dan Solitz, Oregon Hanford Cleanup Board, wondered how the OUs, action plans, and the like were associated and organized. As an example, he wondered how he would find the plans for sodium stored at the Fast Flux Test Facility (FFTF). John explained that, in that instance, his best option would be to find that item in the milestones. He did not expect that there was a milestone for sodium at FFTF, however, there was one for bulk sodium. He would find that milestone associated with bulk sodium to find that the FFTF-related sodium in the milestone schedule.

Steve Anderson, Grant and Franklin Counties, asked if there was a summary of TPA changes that were being considered. John stated that a public comment period on cleanup changes in the Central Plateau was recently closed. He expected that there would be further changes for public comment coming up soon afterwards. He noted that the TPA agencies had been talking about tank waste for some time, which could result in changes, and well as an update to the RCRA permit.

Esteban Ortiz, Public at Large, explained that, as he travelled the country, he learned that the perception was that Hanford is well-funded. He stated that it was well known that congressional budgets changed over time, and he wondered how one could expect work to be done when milestones continuously changed. He wondered who would be accountable for the work being done. John stated that all the TPA

agencies were jointly responsible: DOE being responsible for the work, and the regulators responsible for ensuring that DOE adhered to the schedule.

Chris Sutton noted the differing requirements between RCRA and CERCLA. He wondered if there could be an instance where something could be defined as cleaned under one but not the other. John explained that when CERCLA requirements were met, there was a need to look at other applicable rules and requirements that were appropriate and applicable. As a result, typically, CERCLA Records of Decision (ROD) were working to RCRA requirements. Roberto agreed.

David Reeploeg, Tri-City Development Council (TRIDEC), noted mention in the presentation slides that RCRA allowed “authorized state programs.” He wondered if EPA authorized those. John explained that Ecology had to submit an authorization package to EPA, which was renewed every several years. David also noted mention of about 3,800 locations listed in the TPA. He asked if that was the number at time of signing or at present. John stated that was the present number and that it had grown over time. He expected that 99% of cleanup locations were accounted for.

Alfonso Contreras, Heart of America Northwest, asked what those locations consisted of. John stated that most of the river corridor was cleaned up and that most of the remaining locations were within 10 square miles if the Hanford center point.

Rob Davis, City of Pasco, asked about the expected timetable for changes to the TPA, referencing ongoing tank waste discussions. John stated there could be a big range in the time it takes, with some negotiations being completed in weeks while the tank waste-related negotiations had been ongoing since 2019. Rob Davis asked if the Board could get an understanding of what the issues were around tank waste negotiations. John suggested looking at [Director Bellon’s letter from May of 2019](#), stating that it laid out the issues under negotiation, and the agencies typically did not discuss ongoing negotiations. He agreed that the agencies could do a better job of making overview information available.

Tom Galioto, TRIDEC, asked how Ecology would go about vetting a case for delay as presented by DOE. John stated that Ecology would typically ask for the new proposed schedule and review that for sensibility. The reasons for change, other than budget, were typically usually easy to understand and agree with. Where there was not agreement, there were options outside of the TPA, as discussed earlier. Tom Galioto asked about instances where the funding was not available. John stated that, while Ecology could order DOE work, it could not dictate Congress to fund that work. What work was done under budget constraints would come at a cost of other work not being done, and Ecology needed to consider that.

Tom Sicilia, Oregon Department of Energy, asked how the HAB fit into the TPA. John stated that the TPA cites a need for public involvement and the associated public involvement plan refers to the HAB. Roberto added that Superfund called for a public advisory board as well, which in this case was the HAB.

Resource Conservation and Recovery Act

Annette Carlson, Ecology, introduced herself and led a presentation on RCRA. She explained that RCRA served as Washington State’s authority to regulate dangerous waste at Hanford. Ecology worked with EPA on regulatory issues and decisions, which has the authority to administer and enforce a state-level hazardous waste management program under RCRA. EPA’s Seattle office is responsible for RCRA issues, while its Hanford office deals with CERCLA and TPA aspects. Under RCRA, Washington State’s authority is equivalent to the federal program.

Ecology regulated dangerous waste under the associated Washington Administrative Code (WAC) and dangerous waste components of mixed waste, as well as the requirements for treatment, storage, and

disposal of those wastes. Ecology maintained responsibility for the protection of human health and the environment. However, Ecology was not responsible for radioactive materials and waste, which was managed by DOE.

Though there were no plans to discuss those items in detail during the presentation, she noted that there were other permits in place at Hanford including the Air Operating Permit and water permits.

She explained that RCRA permitting was tied to the TPA, as discussed in the prior presentation. She noted that the Hanford Site-Wide Permit, [available online](#), listed all the facilities and areas within the permit, both active or closed out.

Annette reviewed the history of the Hanford Site-Wide Permit, starting from its issuance in 1994. Presently, the Hanford Site was operating under Revision 8C of that permit, while Revision 9 (Rev.9) was expected to serve as a renewal of that permit in 2024. Rev.9 was initially transmitted in 2012 but has since been revised to address the over 2,000 public comments received.

Ecology's Nuclear Waste Program (NWP) office worked with the Ecology Hazardous Waste and Toxics Reduction (HWTR) Program in permitting to ensure HWTR program requirements and agreements were met. Ecology's MOU with EPA was managed by the HWTR and coordinated with NWP. Additionally, Ecology worked with EPA Region 10 on the Rev.9 renewal. The Washington State Attorney General's Office provided Ecology with legal advice on permitting issues and decisions.

Annette noted that Ecology's NWP also oversaw permits outside of the Hanford Site, including those at the Perma-Fix waste storage and treatment facility and the Puget Sound Naval Shipyard.

Annette noted that the presentation was a very high-level overview and additional information on Rev.9 would likely be presented to the Board as the public comment period got closer.

Other TPA Agency Perspectives

Wesley Boyd, DOE, introduced himself and stated that he worked as part of the Environmental Compliance Division at Hanford. He explained that DOE was the owner of the facilities run by its contractors, and as a result, DOE had responsibility for those facilities' environmental regulatory compliance. DOE worked closely with Ecology to ensure that compliance was maintained. DOE appreciated Ecology's support and work done on permitting activities to allow DOE to continue to run those facilities in a safe, compliant manner.

Roberto Armijo noted that EPA had additional satellite offices that worked under CERCLA in Portland, Oregon and Alaska.

Board Questions

Jeff Wyatt, Oregon Hanford Cleanup Board, asked for clarification regarding the definitions of mixed and radioactive waste, as well as who would be responsible for those wastes. He used the cesium capsules as an example. Stephanie Schleif, Ecology, introduced herself as a deputy program manager. She explained that Ecology had a unit group called the Waste Encapsulation and Storage Facility (WESF) where the cesium capsules were stored in pools, regulated by the Hanford Site-Wide Dangerous Waste Permit. Additionally, there was a Capsule Storage Area (CSA) build by DOE where the capsules would eventually be moved to. The CSA was also covered by that permit. Those were considered mixed waste, but Ecology regulated the dangerous waste portion. The radioactive component was regulated by DOE. Ruth noted that the next presentation would focus on CERCLA, which could help clarify questions around regulatory responsibilities.

Richard Bloom, City of West Richland, stated that the previous HAB chair felt that one of the biggest mistakes made was bringing Hanford's single-shell tanks (SST) under the Hanford Site-Wide Permit. He stated there was no way that the SSTs or their interface piping could be permitted as they could not be compliant. He asked what the benefit of the SSTs being under the RCRA permit was, rather than being addressed more globally as a CERCLA cleanup action. Annette stated she did not have much background on why that decision was made. She stated that Ecology was actively working on a Part B application for SSTs and that she heard and understood his concerns.

Rob Parmelee was interested in how mixed waste was managed when there were dangerous waste and radioactive waste included in the same volume. Annette explained that, when considering those permit applications or modifications where there was waste with radioactive components, Ecology was careful not to overstep its authority or encroach on DOE's authority to manage that. Roberto explained that, in the following presentation, he would explain more about how CERCLA responded to hazardous substances.

Pam Larsen, Benton County, noted that the HAB previously issued advice on the Hanford Site-Wide Permit (Advice #262). She asked if that advice made an impact as Ecology developed Rev.9 for renewal. Annette stated that the development involved a close working relationship with DOE, EPA, and the Site contractors. Those advice was heard, with those points being taken into their discussions and workshops.

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)

Roberto Armijo provided a presentation on CERCLA, intended to provide the Board with an introduction to cleanup actions governed by the act. He explained that CERCLA was commonly known as Superfund and addressed cleanup of sites contaminated with uncontrolled hazardous substances. It provided legal authority to respond to release or the threat of release of such hazardous substances to the environment and impose liabilities to Potentially Responsible Parties (PRP). He noted that it established the Hazardous Substance Trust Fund, known as the Superfund Tax, which had been recently reinstated and would be in effect through 2031.

Roberto stated that within Superfund was the National Priorities List (NPL), a list of the highest priority sites where releases of hazardous substances have occurred in the US. Those sites were scored by the Hazard Ranking System (HRS), which warranted their placement on the NPL. The Hanford 100, 200, and 300 Areas were listed on the NPL. The 1100 Area, the Horn Rapids Landfill, has previously been listed but had since been removed from NPL.

In review of the Superfund regulations, he noted that CERCLA Section 120 was specific to federal facilities. States, tribal governments, and local officials participated in planning and selection of remedial actions. EPA served as the lead regulator but allowed states to supervise cleanup at federal facilities. Executive Order 12580 delegated response authorities to federal agencies for releases at their facilities as "lead agency." The lead agency provided the on-scene coordinators and/or remedial project managers for those sites.

For Hanford specifically, Roberto reviewed a "TPA Cheat Sheet" within the presentation, which outlined the authorities and EPA and Ecology under the TPA. Among recent, relevant CERCLA documents were the Hanford CERCLA Five-Year Review and the 100-BC ROD. The FFTF Engineering Evaluation/Cost Analysis (EE/CA) and 100-K ROD were anticipated in to be issued in the coming years.

Roberto recited the EPA's priorities in relation to Hanford. Those included:

- Ensuring protection and completion of cleanup along the Columbia River

- Continuing groundwater restoration across Hanford
- Continuing progress with characterization and cleanup of sites in the Central Plateau
- Implementing current TPA schedules and milestones for cleanup
- Ensuring appropriate levels of public involvement in Hanford decision-making, information sharing, and overall awareness of site activities
- Supporting national EPA efforts on climate change and environmental justice

Within the presentation slides, Roberto shared photos of the EPA staff with a review of the high-level responsibilities those individuals had in relation to Hanford.

Other TPA Agency Perspectives

Wesley Boyd noted that most of the CERCLA work was handled by DOE and that DOE coordinated closely with EPA in development of mitigative and remedial strategies. Some examples of that ongoing CERCLA work included the groundwater pump and treat operations and soil remediation work at 100-K.

Board Questions

Jeff Wyatt asked if DOE was the sole PRP or if another could be held accountable for Hanford, such as DuPont. Additionally, he was interested in what funding might be expected as a result of the trust fund renewal. Roberto stated that DOE was the sole PRP and details on what funds might be provided or how that money could be applied was not yet available.

Regarding the NPL, Alfonso Contreras was interested in how Hanford ranked on that list against other sites nationwide. Roberto was not certain to Hanford's HRS and acknowledged that it should have been included in the presentation.

Richard Bloom asked if the 400 Area was under EPA's purview. Stephanie Schlieff clarified that Ecology was the lead agency for the 400 Area and would be coordinating with Craig Cameron from EPA regarding the FFTF EE/CA.

Tom Sicilia asked about the status of the 100-K ROD. Roberto stated that it was projected to be issued by 2024.

Ruth Nicholson recalled questions from previous presentation about which agency regulated waste where waste consisted of a mix of radioactive and hazardous materials. Richard Bloom explained that, effectively, DOE manage anything with radioactive components, within the bounds of associated permits.

Jan Catrell posed a follow-up question, asking about how that might apply to waste that went through the Tank-Side Cesium Removal System (TSCR), which removed a radioactive element. Wesley stated that TSCR specifically removed radioactive cesium, but the resulting waste still had many other radioactive constituents.

Jan asked how Ecology and EPA decided which agency would serve as lead when there was mixed waste with RCRA and CERCLA components. Stephanie explained that Ecology was the lead agency for all dangerous waste components and the dangerous waste regulations specifically defined mixed waste, while DOE managed radioactive components per the Atomic Energy Act (AEA).

Rob Parmelee noted that the TPA Cheat Sheet in the presentation stated that Ecology managed "cleanup of hazardous and mixed (hazardous and radioactive) waste," which seemed to imply that Ecology was providing regulation for mixed waste when it was radioactive. Stephanie clarified that dangerous waste and mixed waste were both defined under the dangerous waste regulations. Mixed waste was waste that has a dangerous waste and a radioactive component. She stated that Ecology just regulated the dangerous

waste component of that mixed waste. If any waste had a hazardous waste component, whether it has radioactive or it does not, then Ecology would manage it.

Jacob Reynolds noted that Appendix H and Appendix I of the TPA discussed the processes for removing waste from tanks and close tank farms. He noted that there were steps within those flowcharts that specified agencies for approval of certain steps within the process, at some points those were Ecology and others a DOE entity. He asked if that process would be similar for other Hanford site wastes. Wesley stated that he would need to follow up on that question. He knew that there was an established process, but he was not fully familiar with it yet.

Jeff Wyatt asked if DOE was interested in reclassifying some of the Hanford Site waste streams to make disposal easier. Wesley stated that DOE would need to work with EPA and Ecology to determine feasibility. He was unsure if there were any present activities ongoing in that regard.

Elections for Chair and Vice Chair

Gary Younger stated that the membership packet was not yet signed.

Ruth Nicholson stated that there was a quorum present, as defined by the HAB's Operating Ground Rules (OGR), however, without the appointment of the incoming HAB members, that did not represent everyone at the table. She asked the Board to come to agreement on what path to take. She stated that the first option was to hold the election without the input of the incoming members, and asked Gary to explain the second option.

Gary stated that the local DOE had received no information that would suggest that any of the incoming HAB members would not be appointed. He expected that the packet would be approved at is was soon. He suggested a scenario where all incoming members were approved unofficially, and everyone would be eligible to vote and hold office. The Board, including those incoming members, could vote at that time and votes would be sequestered until official packet approval. He noted that between DOE, EPA, and Ecology there was agreement in principle on that path forward, however, it was something that required discussion. He expected it would be within the bounds of FACA.

Ruth explained what the ballot would consist of. All ballots would go to Lacey Mansius of the facilitation team and would reside only with her until the membership packet was officially approved.

Jan Catrell stated that elections needed to be done during a meeting with a quorum. It was clarified that a quorum was present when accounting only for officially approved HAB members. Jan felt it was advantageous to hold it at that time as a result, as more members could have the opportunity to vote. She noted that the voting was an instance where the Board did not need to achieve consensus.

Alfonso Contreras wondered if elections should be postponed until the next Board meeting. Ruth stated that was an option but noted that there was a challenge associated with that because the appointment for interim chair expired on December 31, 2022, and the next meeting was scheduled for January 25, 2023. As a result, the Board would be without leadership at that time.

Tom Sicilia agreed with the idea of a "lockbox" for votes but asked if nominees for leadership could be invited to the following Executive Issues Committee (EIC). Ruth clarified that the invite had been extended and travel was approved.

Laurene Contreras, Yakama Nation, stated that she was uncomfortable with going forward with a vote and would agree with postponing it.

Chris Sutton wondered if interim membership approvals would impact committee activities. Gary stated that members of public could participate in committees, so there would not be an issue at that level. However, those members of the public could not be in leadership positions, which could jeopardize committee meetings prior to membership approval.

Richard Bloom asked if only primary seat holders would be able to vote. Ruth explained that votes were counted by seat, rather than individual member. Only one vote was allowed per seat.

Rob Davis felt voting should proceed. He felt that the Board should get elections finished so it could change its focus to the Hanford Site.

Tom Sicilia understood Rob's sentiment but was concerned about only voting that one day. He suggested setting a deadline for email voting to December, so the leaders would be in place by January.

Jan, addressing the concern Laurene voiced, felt that the issue of leadership terms would affect the Board's work. She suggested that, without leadership, the Board may not feel comfortable with getting work done in January. Additionally, she felt that a voting window to the end of December would be too long. She asked that the DDFO weigh in on the matter.

Mike Berkenbile thanked Gary for his explanation. He agreed that there was no information coming back from DOE Headquarters to suggest that the packet would not be approved as it was. He did not sense that the proposal was inappropriate, and he acknowledged that the proposal seemed to be unprecedented. He stated that, were the Board to do nothing now, it would need to hold its elections in January. He anticipated that the packets would be approved soon and was comfortable with "leaning-forward."

Laurene felt that it was a "red flag" that the Board would hold a vote while the incoming members were not yet appointed. She stated that, were the Board to move forward with the approach, she wanted the quorum to be documented. Ruth clarified that there was a quorum and that it was both tracked and documented. Laurene hoped to see a list of seats that made up that quorum.

The quorum at that time consisted of 17 seats occupied by presently appointed members:

- Benton County
- City of Pasco
- City of West Richland
- Grant and Franklin Counties
- TRIDEC
- Hanford Atomic Metal Trades Council
- Non-Union, Non-Management Employees
(1 of 2 seats)
- Washington League of Women Voters
- Benton-Franklin Health District
- Confederated Tribes of the Umatilla Indian
Reservation
- Yakama Nation
- Oregon Hanford Cleanup Board
- Oregon Department of Energy
- Public-at-Large (4 of 4 seats counted)

Rose Ferri, Yakama Nation, asked for clarification: were unapproved members counted in quorum and how many seats were required for quorum? Ruth stated that only presently approved members were counted towards quorum. As defined in the OGR, 16 seats were required for quorum, based on the seats listed in the HAB Memorandum of Understanding (MOU). The ability to vote was being based on the presence of a quorum by official members, but votes would be taken from incoming members as well. None of the votes would be counted until official approval.

Jan reiterated that there was a quorum in that meeting and at that moment. The Board was considering holding elections under that process at that time because the meeting had an established quorum and wanted to include the votes of those members not yet approved.

Ruth noted that, due to recent departures, there was no longer a quorum. Tom Sicilia noted that a quorum was not needed, as votes were submitted asynchronously by email.

Ruth suggested altering Gary's initial proposal. The voting would be opened that day, announced in the HAB weekly update, and closed on November 30. Tom Sicilia noted that would require nominations be closed.

Gary was not comfortable with a cutoff date that far out. He recognized that everyone should have the opportunity to vote but stated that everyone also had to opportunity to attend meetings. He suggested that the following Monday would be a more reasonable cutoff. He stated that, because the HAB had been talking about those elections for months, he felt that the expectation should have been well understood. He worried that a long voting period would stretch the FACA interpretation too far. His vision was to start and end the vote that same day because he expected the packet would be approved by the end of the week.

Tom Sicilia offered a compromise of an announcement in the HAB weekly update and one week for voting. He felt it was important to give everyone the opportunity to vote, understanding that they could have attended the meeting. Gary understood Tom's position. He noted that attendance was a recurring issue for the Board membership and doubted that it would make a difference.

Esteban Ortiz agreed with Gary. He felt that people could have made time for the meeting and that advance notice was given. He felt that enough time had been spent on the subject.

Alfonso Contreras suggested pushing the deadline to the following Wednesday.

Gary stated that the choice was the Board's.

Jan suggested the Board to proceed with the election. She felt that a deadline of Monday was acceptable and provided ample time following the weekly update announcement, which was distributed on Thursdays to all HAB members, including those not yet approved.

Chris Sutton agreed that the election should be held as soon as possible.

Ruth asked for agreement on the proposal of opening voting that day, announcing it in the HAB weekly update, and closing voting the following Monday at close of business. She noted that all members, approved or not, would be eligible vote, with one vote counted per seat. The ballot would consist of the individual's name, seat, and preference of candidate for each seat.

No objections were stated.

Ruth invited questions on the process. None were offered.

Review of Nominations for Chair

Ruth stated that prior to that meeting, Susan Coleman, Public at Large, had been nominated for chair and had agreed to serve.

Ruth invited other nominations, noting that members were welcome to self-nominate.

Jan Catrell nominated herself for chair.

Comments from Nominees for Board Chair

Ruth invited the nominees for chair to offer comment, noting that it was required.

Susan offered no comment.

Jan thanked the Board for the opportunity to serve as chair over the past several months. She looked forward to continuing to serve on the HAB, with or without Board's vote.

Review of Nominations for Vice Chair

Ruth stated that prior to the meeting, Miya Burke was nominated for vice chair and was willing to serve.

Ruth invited other nominations. There were none.

Comments from Nominee for Board Vice Chair

Miya took the opportunity to introduce herself and provide the Board a better idea of who she was, as she only recently met many of the members. She provided her personal background, including her education and work history. Following a culinary school and time working abroad in that field, she moved back to Portland, Oregon and went back to school to pursue a master's degree in environmental policy. Following, she held an internship with Columbia Riverkeeper that led to her present position as a program manager at Hanford Challenge. She stated that her personal values consisted of humility, collaboration, and respect.

Miya stated that, though her experience working in kitchens might not seem like it would prepare her for her work with Hanford, though that work she gained experience working with people from different backgrounds, with different perspectives and work style. She felt she was able to bridge those differences to get jobs done. Additionally, her work taught her to be efficient and effective. She had learned great communication skills, interpersonal skills, and organizational skills.

She noted that, though she had not initially considered running for leadership, she was honored by the nomination and was excited by the opportunity. She was committing to her work with Hanford and hoped to bring a fresh perspective and new energy to the HAB. She looked forward to getting to know everyone better.

Voting

With nominations concluded, voting was opened. Ruth reiterated the nominees, voting methods, and deadline.

Consensus and the HAB

Ruth Nicholson provided an overview of consensus and how it was implemented in the HAB for decision making. Starting with a review of decision making, she explained that there was a direct relation between the level of participation in decisions and the level of support for decisions that followed. When that level of participation reached consensus, there tended to be a high level of support. She noted that reaching consensus tended to take more time, but resulted in more robust decisions.

Ruth explained that groups that operate by consensus needed to define what consensus would mean for that group. Some FACA groups defined it as unanimity. Informed consent, she clarified, was everything beyond "total opposition," which could range from "abstaining but not opposing" to unanimous agreement.

On the HAB, she explained, all seats had a voice in consensus. She noted that it was important for primary and alternate members to coordinate to ensure they were accurately representing their organizations' interests accurately. Further, it was incumbent upon the HAB to note the level of consensus achieved.

The OGR offered three levels of consensus:

1. Unanimous agreement
2. All Board members are willing to “live with” the proposal
3. One or more Board members registering dissent, but not wishing to block the proposal

Ruth offered a simplified version of consensus: “I understand it, can live with it, and will support it. She noted that members should never agree to anything they did not understand.

Ruth reviewed a flowchart of the levels of consensus, which outlined the steps the Board should follow to ensure consensus was achieved. Those steps included three checks of the levels of consensus, ensuring that the item proposed was understood, agreed to, and would be supported by the HAB membership.

Where there was not agreement on a proposal, such as draft advice, there were options to revise that proposal. Minor concerns could be fixed between Board meeting days and for major concerns drafts could be sent back to their originating committee for revision. Individual seats could abstain from consensus, allowing proposals to be adopted with those abstentions noted in the final product. Finally, majority and minority reports could be included in the final product.

Board Questions

Miya Burke asked if there was ever a point where the Board could not reach consensus and, in that instance, if advice would be rejected. Ruth stated that there were instances where the Board recognized that it would not reach agreement. She recalled previous discussions related to FFTF when there was talk of restarting the facility. Instead of advice, in that instance, the Board did a sounding board exercise where everyone in the room was offered the chance to voice their opinions. That was transcribed and offered as an alternative HAB product.

Tom Sicilia followed on that statement, recalling storm board building. He noted that Advice #262 included an appendix of items that were not consensus. Within that one advice document multiple levels of consensus were reflected. Ruth stated that also demonstrated a way in which the level of consensus was documented.

Jan Catrell discussed the advice development process and stated that, as it moved from Issue Manager (IM) team to committee and finally the Board, it achieves consensus among several groups, which increased its likelihood of achieving consensus with the Board.

Dan Solitz asked how the consensus process applied to agenda building. Ruth explained that the agendas for the Board or committee were developed in a group of six primary individuals, representing board or committee chairs and vice chairs, the three TPA agencies, and a member of the facilitation team. Those board and committee leaders communicated the interests of their members, the TPA staff communicated the availability of staff and timeliness of topics, and the facilitation determined the time needed to explore the proposed items. Mike Berkenbile contributed, noting that was of his responsibilities as DDFO was agenda approval. When those agendas reach him, he asked about level of collaboration. If it was evident that that collaboration had not occurred, it would not be approved.

Chris Sutton clarified that, during advice development, sometimes the originating IM team or committee would present a draft advice or concept for advice to other committees to gather the thoughts and concerns from those committee perspectives that should be implemented prior to presentation to the Board.

Tom Sicilia noted that, when a member receives a meeting packet and agenda, it was important to read through the items that would be discussed. Ruth noted that before advice is brought to the Board, many of the same questions members will ask will have already been encountered and accounted for. The process

of answering those concerns helps bring the whole group up to speed on a topic. Before advice is brought to the Board, it was important that ramifications and “what ifs” were well clarified.

Hanford Work in Fiscal Year 2025

Jan Catrell introduced the topic, stating that the HAB’s budget advice for fiscal year 2025 would be considered.

Chris Sutton explained that each year the Budgets and Contracts Committee (BCC) sponsored and IM team to put together cleanup priority advice, two years in advance. The BCC was presently assembling an IM team to focus on cleanup priorities for 2025. That year was chosen because of the process that needed be followed and time needed for DOE to have the opportunity to implement the HAB’s advice in their work plans prior to submittal to the US Office of Management and Budget (OMB). He explained that one of the items used for input to that advice was DOE’s five-year plan for years 2023-2027, which outlined the work to be performed in that time span and indicated what items DOE finds to be the most important.

Chris asked that, should members of the HAB have any items that the IM should consider in that advice, that they share those. The input from HAB members would influence how the advice was developed. Further, Chris invited any members interested in joining the IM team to reach out to him or the facilitation team. He the process of developing that advice would help new HAB members learn about much of what goes on at Hanford and more about the budgets and funding aspects that make the work possible. It was both a learning opportunity and an opportunity to provide input.

Tom Sicilia asked about the timeline for advice development. Chris stated that as soon as he knew who the IM team consisted of, he could send out information by email and Teams for members to familiarize themselves with the subject matter. IM team meetings would be scheduled to advance toward a late spring deadline. Tom Galioto noted that the late spring deadline was in relation to a HAB meeting where it would be considered for consensus.

Jeff Wyatt asked if a detailed work breakdown structure would be available. Chris stated that only the top two levels of that structure were available publicly and would be included in those introductory materials.

Ruth noted that within Microsoft Teams each IM team was given their own channel to serve as a workspace.

Rob Parmelee asked if DOE would need to be involved in the IM team’s meetings. Ruth stated that, per FACA, for meetings of the Board or its subcommittees, a federal representative needed to be present.

Jan noted time would be requested in the January Board meeting agenda for Chris to provide a more detailed overview.

Closing Comments

Tom Galioto noted that he was interested in the learning the status of the power issues discovered at the Direct-Feed Low-Activity Waste (DFLAW) facility. He heard that it was a more extensive issue than just the control panel, as previously reported. Mike Berkenbile stated he has not heard about the issue being more extensive but offered to reach out and inquire.

Rebecca Holland, Hanford Atomic Metal Trades Council, shared that the Health, Safety, and Environmental Protection Committee (HSEP) recently took a tour of the 324 Building mockup facility. She stated that Central Plateau Cleanup Company’s recently newsletter showcased it.

Following those final thoughts, the meeting was adjourned.

Public Comment

No public comment was received.

Meeting Recording

<https://youtu.be/zuZ3IK5NLes>

Attachments

[Attachment 1: Meeting Agenda](#)

[Attachment 2: Deputy Designated Federal Officer Slide](#)

[Attachment 3: Draft Meeting Minutes for June Board Meeting](#)

[Attachment 4: Ecology Presentation – Tri-Party Agreement](#)

[Attachment 5: Ecology Presentation – Resource Conservation and Recovery Act](#)

[Attachment 6: EPA Presentation – CERCLA \(Superfund\) 101](#)

[Attachment 7: Presentation – Decision Making by Consensus](#)

Attendees

Board Members and Alternates:

Chris Sutton, Primary*	Dan Strom, Primary*	Esteban Ortiz, Primary
Jacob Reynolds, Primary	Jan Catrell, Primary*	Jeff Wyatt, Primary*
Jessica Black, Primary	Laurene Contreras, Primary	LoAnn Ayers, Primary
Michelle Holt, Primary	Miya Burke, Primary*	Pam Larsen, Primary*
Rebecca Holland, Primary*	Rob Davis, Primary*	Rob Parmelee, Primary*
Steve Anderson, Primary*	Susan Coleman, Primary*	Tom Galioto, Primary*
Alfonso Contreras, Alternate*	Dan Solitz, Alternate*	David Reeploeg, Alternate*
Mason Murphy, Alternate	Richard Bloom, Alternate*	Rose Ferri, Alternate
Tom Sicilia, Alternate*	Tracie Arnold, Alternate*	

Others:

Gary Younger, DOE*	Anna Alvarez, Ecology*	Dieter Bohrman, CPCCo
Geoff Tyree, DOE	Annette Carlson, Ecology	Dana Cowley, HMIS
Mike Berkenbile, DOE*	John Price, Ecology*	Debra Yergen, HMIS*
Paul Noel, DOE	Neil Caudill, Ecology	Patrick Conrad, HMIS
Rob Hastings DOE	Ryan Miller, Ecology*	Stephanie Brasher, HMIS
Wesley Boyd, DOE*	Roberto Armijo, EPA*	Derek Miceli, WRPS

	Tom Rogers, WADOH*	John Stang, Weapons Complex Monitor
		Liz Mattson, Hanford Challenge
		Matt Hendrickson, ODOE
		Matthew Fountain, PNNL
		Dick Deshon
		Edward Dawson
		Michael Turner
		Josh Patnaude, Facilitation*
		Lacey Mansius, Facilitation*
		Olivia Wilcox, Facilitation*
		Ruth Nicholson, Facilitation*

** denotes that the individual was signed-in or otherwise noted as an in-person attendant*

Note 1: Participants attending this meeting virtually were asked to sign in with their name and affiliation in the chat box of Microsoft Teams, while those joining by phone were asked to announce that information. Not all attendees share this information. The attendance list reflects what information was collected at the meeting.

Note 2: Members pending approval were included in the Board attendance